

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

LIDIYA TILAHUN BIRHANU,

Plaintiff,

v.

UNITED STATES CITIZENSHIP
AND IMMIGRATION SERVICES, et al.,

Defendants.

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Civil Action No. TJS-22-2104

CONSENT MOTION TO STAY

Defendants, with the consent of Plaintiff (the Parties), request that the Court temporarily stay this action to allow for a non-judicial resolution, and in support thereof state:

1. Plaintiff commenced this action on August 22, 2022 seeking to compel the United States Citizenship and Immigration Services (USCIS) to adjudicate Plaintiff's Form I-589, Application for Asylum and Withholding of Removal. *See* ECF 1, Complaint. Undersigned counsel calculates Defendants' response to the Complaint is due on or before October 31, 2022.

2. The Parties have been in communications about resolving Plaintiff's claims without further litigation or need for judicial intervention. The Parties have agreed that Defendants submit this request for the Court to stay this matter, subject to and consistent with the following:

a. Plaintiff is scheduled for and, absent unforeseen or exceptional circumstances, will appear for an interview with USCIS on November 7, 2022, concerning her asylum application.

b. USCIS—through its Arlington Asylum Office—agrees to diligently work towards completing adjudication of Plaintiff's application within 120 days of Plaintiff's

interview date, up to and including March 7, 2023, absent unforeseen or exceptional circumstances that would require additional time for adjudication.

c. If the adjudication of Plaintiff's application is not complete by March 7, 2023, the Parties will provide a status report to the Court.

d. Plaintiff agrees to submit all supplemental documents and evidence to USCIS within seven to 10 days prior to the agreed upon interview date (November 7, 2022). Further, Plaintiff recognizes and agrees that failure to submit such documents within this time frame may result in the interview being rescheduled at no fault of USCIS.

e. Upon receipt of the Arlington Asylum Office's decision, Plaintiff agrees to voluntarily dismiss this case.

f. The Parties agree to bear their own litigation costs and attorney fees.

3. The Parties believe that a stay of this action (including the deadline for Defendant's first responsive pleading), subject to the above terms and conditions, best serves the issues in this case, the interests of judicial economy, and the Parties' resources.

4. Counsel for Plaintiff has reviewed this motion and consents to the stay of this action pursuant to the above terms and conditions.

Respectfully submitted,
Erek L. Barron
United States Attorney

/s/

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Counsel for Defendants

CERTIFICATE OF SERVICE

I certify that on September 26, 2022, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF System, which will send notice of such filing to all counsel.

/s/

Vickie E. LeDuc
Assistant United States Attorney